



# City of Tulare Commercial Cannabis Business Application Package Dispensary

## Phase I

- ☐ Pay non-refundable application fee(s) ***Check made payable to: City of Tulare***
  - Background Check – Owner(s): ***\$500/owner***
  - Background Check – Employee(s): ***\$500/employee (only those employed at Tulare location)***
- ☐ Submit Background Investigation Packet, Request for Live Scan documentation to the Tulare Police Department.
- ☐ Submit Commercial Cannabis Application Indemnification Agreement and Business Application Acknowledgment Form

## Phase II

- ☐ Pay non-refundable application fee of ***\$3655. Check made payable to: City of Tulare***
- ☐ Submit requirements for Commercial Cannabis Retail Dispensary Regulatory Permit as set forth in Phase II section of this packet.

## Phase III (if applicable)

- ☐ Pay non-refundable application fee of ***\$2565. Check made payable to: City of Tulare***
- ☐ Attend final interview to discuss presentation requirement as set forth in Phase III of the Request for Proposal.

## Final Approval (if applicable)

- ☐ Attend City Council meeting to provide a public presentation of proposal.
- ☐ Submit building plans/request building permits (if applicable).

**ALL APPLICATIONS MUST BE SUBMITTED IN PERSON OR BY US MAIL**  
**NO ELECTRONIC SUBMITTALS WILL BE ACCEPTED**

**SUBMITTALS WILL BE DATE AND TIME STAMPED FOR ORDER OF PHASE I PROCESSING**

City of Tulare Community & Economic Development Department  
Attention: Traci Myers, Director  
411 E. Kern Avenue  
Tulare, CA 93274

## NOTE:

INCOMPLETE OR INCORRECT APPLICATIONS WILL BE REJECTED AND REQUIRE RESUBMITTING. It is the responsibility of the applicant to ensure that all pages are included in the application package and that the application is complete when returned to the City of Tulare Community & Economic Development Department at City Hall, 411 E. Kern Avenue, Tulare, CA 93274.

# **Application to Operate a Commercial Cannabis Retail Dispensary**

**Release Date: *Monday, September 21, 2020***

**Phase I Submittal Deadline: *Monday, October 21, 2020***

**Phase II start date is to be determined based on individual applicant results in Phase I & based upon the timing to complete the Background Check and Live Scan**

**Notification to Applicants Invited to Phase III Final Selection:  
*Tentative – Week of January 4 – January 8, 2021***

**Scheduled Phase III Interviews: *Tentative – January 25 – January 29, 2021***

**Final Selection Announced: *Tentative February 16, 2021 City Council Meeting***

The City of Tulare is now seeking applications from parties who wish to develop and operate a cannabis retail dispensary in Tulare, which will be subject to the following requirements:

- This application process will result in the issuance of not more than three (3) commercial cannabis retail dispensary regulatory permits (hereinafter referred to as “permit”), two (2) of which are only available to existing operators;
- The approved cannabis retail dispensary (hereinafter referred to as “dispensary”) shall be located only in an area zoned C-4 or C-3, but at least 1,000 feet away from each other, at least 600 feet from any existing school, or proposed school site as identified in the General Plan.
- If permitted by state law, this dispensary may operate as and sell both medicinal and recreational products.
- The approved cannabis retail dispensary shall follow the strict operating, security, odor control, recordkeeping, facilities, zoning and signage regulations as set forth in the zoning ordinance, cannabis business ordinance and related resolutions;
- Payment of applicable application fees as required; and
- Additional conditions of approval may be imposed by the City to ensure the operator remains compliant with all state and local laws as well as the conditions set forth in the operator’s application.

Per the requirements of City of Tulare Ordinance 19-12, which allows cannabis businesses and establishes permitting procedures and regulations, the dispensary must operate in accordance with the requirements defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time by the State of California. In addition to said regulations applicants must comply with all local regulations.

The dispensary shall be configured primarily for product sales, and shall not operate as a restaurant, cafe, or lounge serving food or drinks for consumption on site. No alcohol or tobacco sales will be allowed on site. Additional restrictions on the operations of the dispensary are outlined in the adopted ordinance. Applicants should review City of Tulare Ordinance 19-12, which allows cannabis businesses and establishes permitting procedures and regulations and Other Cannabis Businesses requirements carefully before responding to this application. It is expected that the dispensary shall fully integrate itself into the surrounding neighborhood and shall contribute in a positive manner to the broader Tulare community.

In addition, the selected applicant(s) shall be required to enter into an agreement indemnifying the City for development activities as well as an agreed upon annual gross receipt contribution.

## Overview of the Application Process and Fee Structure

The application process is structured with three (3) phases, outlined below. The non-refundable application processing fees associated with each step of the process are outlined following the description of each phase. Fees for Phase II shall be required for only those applicants who pass screening in Phase I. Fees for Phase III shall be required only for those applicants who advance beyond Phase II.

Event	Date
Application Release	September 21, 2020
Application Questions Due	5:00 PM on October 12, 2020
Phase I Applications Due	October 21, 2020

***Phase I – Background Check: Phase I Non-Refundable Fees: \$500/business owner(s); \$500/employee(s) (Fee required for only those employees who will be employed at Tulare location.)***

Phase I requires each applicant to complete the Phase I background materials, which are attached as follows:

1. Background Investigation Packet (Business Owner(s))
2. Request for Live Scan
3. Background Investigation Packet (Employee(s))
4. Commercial Cannabis Business Application Indemnification Agreement
5. Commercial Cannabis Business Application Acknowledgment Form

Each applicant will be required to submit to a criminal background investigation. Fingerprints and Photograph shall be required from each applicant as part of this process.

All applicants must pass the background investigation in order to proceed forward to Phase II. Once applications are received, applicants will be contacted to schedule a time to conduct the live scan at the Tulare Police Department. **NOTE:** Live scans must be conducted in person at the Tulare Police Department located at 260 M St, Tulare, CA 93274.

*Phase I fees include the live scan fee; paid by **each applicant**; non-refundable.*

***Phase II – Overview: Phase II Non-Refundable Fee(s): \$3655***

All applicants that successfully pass the Phase I criminal background investigation will advance to the second phase of the application process, which will include the City staff's review of the completed proposals for a Commercial Cannabis Retail Dispensary Regulatory Permit per the requirements set forth herein. These requirements include: (1) proposed business plan summary and budgets, (2) site location and development plan, (3) proof of capitalization, (4) management team, (5) proof of existing successful retail cannabis dispensary operation, (6) summary of security practices, and (7) community benefits.

The City Manager, City Attorney, and Chief of Police shall compose the Selection Committee; however, other staff can, and will, be utilized for review, comments, communication or any other reason the selection committee deems necessary.

All application materials will be objectively scored and ranked according to the application requirements outlined below.

*Phase II fees are non-refundable. If background check is not cleared or applicant withdraws from the process, the paid fee(s) will not be refunded.*

## **Phase II – Commercial Cannabis Retail Dispensary Regulatory Permit Proposal Requirements**

### **1. Business Plan Summary and Budget – 20 points possible**

Applicants shall submit a summary of the business plan for the day-to-day operations of the dispensary. The business plan summary shall include, but is not limited to:

- A description of the day-to-day operations of the dispensary, including a description of the cannabis-related products and/or services being sold, as well as any additional accessory services or related facilities. Please provide, in the business plan for the proposed dispensary, a detailed list of all cannabis operations proposed to occur on the premises and their processes including, but not limited to standard operating procedures, number of employees, training program, inventory and quality control procedures, lists of both recreational and medicinal products anticipated to be available, waste management plan, transportation and distribution of product processes, delivery processes, testing, quality control practices and procedures, visitor and vendor protocols (logs, non-disclosures, etc.), and the track and trace procedures and policies.

### **2. Site Location and Development Proposal – 20 points possible**

- The applicant shall identify and describe the location in which the retail dispensary will be located by providing the following information:
  - Address, Assessor's Parcel Number, Site Area and Dimensions;
  - Proof of ability to lease/purchase property (Property Owner Affidavit)
- The applicant shall provide a conceptual layout of the site's intended development including but not limited to, all proposed uses, building floor area, number of stories, parking, ingress/egress, elevations (if available), and floor plan. The conceptual plan shall be to scale but does not need to be drawn by a licensed engineer or architect.
- The Retail Dispensary Operation may be a component of a larger proposed or existing development proposal which can be described in this application.

### **3. Proof of Capitalization – 20 points possible**

Applicants shall submit proof demonstrating sufficient capital is in place to pay start-up cost and at least three (3) months of operating costs. Proof of capitalization shall be in the form of:

- Documentation of cash or other liquid assets (e.g. bank statement)
- Letter of Credit

#### **4. Management Team – 20 points possible**

Applicants shall submit:

- An organizational chart with names and roles of each known member of the management team including roles that are known but unfilled.
- Resumes for each member of the management team.
- A discussion of the experience of the management team.
- The application shall include information concerning any special business or professional qualifications or licenses of the management team that would add to the number or quality of services that the dispensary would provide, especially in areas related to medicinal cannabis, such as scientific or health care fields.

#### **5. Proof of Existing Successful Retail Cannabis Dispensary Operation – 20 points possible**

Applicants shall demonstrate the ability to develop a successful, sustainable, harmonious operation by providing proof of the following:

- Has maintained an existing, successful retail cannabis dispensary operation for a period of one year or more (provide tax documentation).
- Has maintained a harmonious relationship for one year or more with the government entity holding jurisdictional authority over the existing retail cannabis dispensary (provide supporting documentation from the government entity holding jurisdictional authority along with a local crime report).

#### **6. Summary of Security Practices – 20 points possible**

Applicants shall describe their approach to operational security including, but not limited to:

- General security policies.
- Employee-specific policies and training.
- Discussion of transactional security, visitor security, third-party contractor security, and delivery security.
- Financial security.

Applicants should address ingress and egress access, perimeter security, product security (at all hours), internal security measures for limited access areas, types of security systems (alarms, cameras, etc.), and security personnel to be employed. This discussion must also include a description of how cannabis will be tracked and monitored to prevent diversion, such as by verifying the status of recommending physicians, if selling medicinal cannabis, and retaining copies of all written recommendations from recommending physicians when applicable. Applicants are encouraged to provide a sample written policy that has been developed.

Security plans shall not be made public, unless required by court action. Security plan details that could aid persons who wish to commit security violations shall be considered confidential and shall not be released to the public unless ordered by a court of law.

Please refer to City of Tulare Ordinance 19-12, which allows cannabis businesses and establishes permitting procedures and regulations.

## **7. Community Benefits – 20 points possible**

Applicants must provide a discussion of how they intent to provide the City of Tulare and its residents with community benefits and mitigate any nuisance and/or negative impacts that the dispensary's existence may create. Quantifying the community benefit with a level of financial commitment along with performance timeliness is required and shall be provided distinctly in the RFP response.

Examples of community benefits may include, but are not limited to:

- Renovation of blighted buildings and areas.
- Contribution to local substance abuse programs or other activities that benefit the local community as well as the City of Tulare.
- Support or fund other community programs.

The applicant must also demonstrate how they will ensure that they will minimize any nuisance and/or negative impacts on the surrounding community, including minimizing noise, odor, increased foot and vehicle traffic, increased waste production and water usage, and increased safety concerns, among others.

## ***Phase III – Overview – Oral Interview, Phase III Non-Refundable Fee(s): \$2565***

After all applications from Phase II have been ranked and scored, a sub-set of finalists shall be invited to advance to Phase III, at which point the Phase III non-refundable application fee shall be due. Phase III applicants will be invited to an interview to discuss the Phase III items listed below. The number of applications that will be invited to submit a Phase III response will be set by the selection committee.

*Phase III fees are applicable only to applicants who advance to Phase III; non-refundable.*

## ***Phase III – Presentation Requirements***

### **1. Product Safety and Labeling**

The presentation shall state how the dispensary will ensure enhanced consumer safety by testing or confirming that testing has been certified for biological and chemical contaminants. The applicant must also submit a discussion regarding the product labeling standards to be employed and how they will comply with state and local laws, regulations, and policies. The applicant must also provide information on product labeling sufficient to ensure that cannabis and edible products containing cannabis clearly identify the percentage level of delta-9 (trans) tetrahydrocannabinol, cannabidiol, and cannabinol, and have adequate warnings.

### **2. Community Benefits**

The applicant must provide a discussion of how they intend to provide the City of Tulare and its residents with the community benefits described in Phase II along with how they intend to mitigate any negative impacts.

In addition, the selected applicant(s) shall be required to enter into an agreement indemnifying the City for development activities as well as an agreed upon annual gross receipt contribution.

### **3. Hiring and Employment Practices**

The applicant must submit a description of their labor and employment practices. These policies and practices could include, but are not necessarily limited to the following:

- Discussion of Hiring Plan.
- Training and continuing education opportunities – the applicant should discuss the introductory and ongoing training opportunities that will be provided to the employees of the dispensary.
- For an applicant with 20 or more employees, provide a statement that the applicant will enter into, or demonstrate that is has already entered into, and abide by the terms of a labor peace agreement.
- Providing Equal Benefits and/or signing a Declaration of Non-Discrimination.

### ***Final Selection***

Following an objective ranking of the above application materials, and following completion of the interview(s), City staff intends to bring forward for the City Council's consideration not more than three recommended dispensary operators. The recommended operator(s) should be prepared to attend a City Council meeting in Tulare in order to provide a public presentation before the Mayor and City Council introducing their team and providing an overview of their proposal. The City of Tulare reserves the right to request any other additional information or documentation deemed necessary to review the applications throughout the entire application and dispensary permitting process. The City also reserves the right to request references from applicants.

Following the review and approval by the City Council, the selected operator will be invited to submit, within 90 days, any necessary land use entitlement applications to the City's Community and Economic Development Department for processing. Once any necessary applicable land use entitlements have been secured the applicant will be issued an official regulatory permit from the Tulare Police Department within 30 days.

### ***Submission Process and General Questions***

Should applicants have questions about this application or require additional clarification about the contents of the application, such questions shall be due by **5:00 PM on October 12, 2020**. Questions must be sent via email to: [tmyers@tulare.ca.gov](mailto:tmyers@tulare.ca.gov). Questions posed in person or by phone will not be answered. Answers to questions will be subsequently posted on the City's website.

### ***All materials shall be submitted to:***

City of Tulare Community & Economic Development Department  
Attention: Traci Myers, Director  
411 E. Kern Avenue  
Tulare, CA 93274

**By submitting a proposal, the applicant represents and warrants that:**

1. The information provided is genuine and not a sham, collusive, or made in the interest or on behalf of any party not therein named, and that the applicant has not directly or indirectly induced or solicited any other applicant to put in a sham proposal, or any other applicant to refrain from presenting information and that the prospective provider has not in any manner sought by collusion to secure an advantage.
2. The applicant has not paid or agreed to pay any fee or commission, or any other thing of value contingent upon the award of an exclusive operating area, to any employee, official, or existing contracting consultant of the City of Tulare.
3. All costs of preparation of proposals including travel for any interviews scheduled shall be borne by the applicants.
4. All proposals become the property of the City of Tulare. The City reserves the right to reject any and all submittals; to request clarification of information submitted; to request additional information from competitors; and to waive any irregularity in the submission and review process. None of the materials submitted will be returned to the bidder.
5. Information or materials submitted in response to this application will be stored on file with the City of Tulare and may be subject to the requirements of the California Public Records Act, or subject to public disclosure as ordered by a court of law. Proposed security plans shall be considered confidential.
6. The City reserves the right to request additional information not included in this application from any or all applicants.
7. The City reserves the right to contact references not provided in the submittals.
8. The City reserves the right to incorporate its standard agreement language into any contract resulting from this application.



**FEE: \$500/Owner(s)**

**PHASE I**  
**Background Investigation Packet – Business Owner(s)**  
**Must be completed by each owner**

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application. I hereby certify that all of the answers provided and statements made in this questionnaire are true and complete. I understand any misstatements of material fact, omissions, incomplete answers, or inaccurate responses will subject me to disqualification or dismissal.

**Owner Name:** \_\_\_\_\_

**Home or Cell Phone:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Tax ID Number:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Weight:** \_\_\_\_\_

**Hair Color:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Items to be completed as part of the Packet at the Tulare Police Department:**

- Live Scan application (attached)
- Photograph (taken at the Tulare Police Department)
- Fingerprinting (done at the Tulare Police Department)
- Copy of Driver's License, DMV issued ID Card, or Passport
- Proof of address (DMV issued ID/driver's license and/or recent utility bill under Owner's name)

**Staff Use Only:**

Background check ☐ passed ☐ failed

Date:

**Add more pages as necessary to accommodate responses.**

1. Indicate whether the owner has been convicted of any of the violent felonies listed below as specified in subdivision (c) of Section 667.5 of the Penal Code or a serious felony as specified in subdivision (c) of Section 1192.7 of the Penal Code including:

**Section 667.5**

- ☐ Murder or voluntary manslaughter.
- ☐ Mayhem.
- ☐ Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
- ☐ Sodomy as defined in subdivision (c) or (d) of Section 286.
- ☐ Oral copulation as defined in subdivision (c) or (d) of Section 288a.
- ☐ Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.
- ☐ Any felony punishable by death or imprisonment in the state prison for life.
- ☐ Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.
- ☐ Any robbery.
- ☐ Arson, in violation of subdivision (a) or (b) of Section 451.
- ☐ Sexual penetration as defined in subdivision (a) or (j) of Section 289.
- ☐ Attempted murder.
- ☐ A violation of Section 18745, 18750, or 18755.
- ☐ Kidnapping.
- ☐ Assault with the intent to commit a specified felony, in violation of Section 220.
- ☐ Continuous sexual abuse of a child, in violation of Section 288.5.
- ☐ Carjacking, as defined in subdivision (a) of Section 215.
- ☐ Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.
- ☐ Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22.
- ☐ Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22.
- ☐ Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- ☐ Any violation of Section 12022.53.
- ☐ A violation of subdivision (b) or (c) of Section 11418. The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

## **Section 1192.7**

- ☐ Murder or voluntary manslaughter.
- ☐ Mayhem.
- ☐ Rape.
- ☐ Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person.
- ☐ Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person.
- ☐ Lewd or lascivious act on a child under 14 years of age.
- ☐ Any felony punishable by death or imprisonment in the state prison for life.
- ☐ Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm.
- ☐ Attempted murder.
- ☐ Assault with intent to commit rape or robbery.
- ☐ Assault with a deadly weapon or instrument on a peace officer.
- ☐ Assault by a life prisoner on a non-inmate.
- ☐ Assault with a deadly weapon by an inmate.
- ☐ Arson.
- ☐ Exploding a destructive device or any explosive with intent to injure.
- ☐ Exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem.
- ☐ Exploding a destructive device or any explosive with intent to murder.
- ☐ Any burglary of the first degree.
- ☐ Robbery or bank robbery.
- ☐ Kidnapping.
- ☐ Holding of a hostage by a person confined in a state prison.
- ☐ Attempt to commit a felony punishable by death or imprisonment in the state prison for life.
- ☐ Any felony in which the defendant personally used a dangerous or deadly weapon.
- ☐ Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code.
- ☐ Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.
- ☐ Grand theft involving a firearm.
- ☐ Carjacking.
- ☐ Any felony offense, which would also constitute a felony violation of Section 186.22.
- ☐ Assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220.

- ☐ Throwing acid or flammable substances, in violation of Section 244.
- ☐ Assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245.
- ☐ Assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Section 245.2, 245.3, or 245.5.
- ☐ Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246.
- ☐ Commission of rape or sexual penetration in concert with another person, in violation of Section 264.1.
- ☐ Continuous sexual abuse of a child, in violation of Section 288.5.
- ☐ Shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100.
- ☐ Intimidation of victims or witnesses, in violation of Section 136.1.
- ☐ Criminal threats, in violation of Section 422.
- ☐ Any attempt to commit a crime listed in this subdivision other than an assault.
- ☐ Any violation of Section 12022.53.
- ☐ A violation of subdivision (b) or (c) of Section 11418; and any conspiracy to commit an offense described in this subdivision. If yes, explain:

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2. Does the owner have a conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor? If yes, explain:

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3. Does the owner have a felony conviction involving fraud, deceit, or embezzlement? If yes, explain:

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4. Does the applicant have a felony conviction for drug trafficking with enhancements pursuant to Section 11370.4 or 11379.8 of the Health and Safety Code? If yes, explain:

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5. Does the applicant, or any of its officers, directors, or owners, has been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to Section 12025 or 12025.1 of the Fish and Game Code?

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6. Does the applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the licensing authority? If yes, explain:

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7. Failure to obtain and maintain a valid seller's permit required pursuant to Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code. If yes, explain:

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8. Are you a member or have you been associated with any criminal street gang? If yes, explain:

[illegible]

9. Is there anything else, you feel the background investigator should know about you or your experiences?

[illegible]

10. List five (5) references that the City may contact.

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

**FEE: \$500/Employee(s) employed  
at Tulare Location**

**Background Investigation Packet – Employee  
Must be completed by each employee**

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application. I hereby certify that all of the answers provided and statements made in this questionnaire are true and complete. I understand any misstatements of material fact, omissions, incomplete answers, or inaccurate responses will subject me to disqualification or dismissal.

**Employee Name:** \_\_\_\_\_

**Home or Cell Phone:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Tax ID Number:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Weight:** \_\_\_\_\_

**Hair Color:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Items to be completed as part of the Packet at the Tulare Police Department:**

- Live Scan application (attached)
- Photograph (taken at the Tulare Police Department)
- Fingerprinting (done at the Tulare Police Department)
- Copy of Driver's License, DMV issued ID Card, or Passport
- Proof of address (DMV issued ID/driver's license and/or recent utility bill under Owner's name)

**Staff Use Only:**

Pass background check ☐



## REQUEST FOR LIVE SCAN SERVICE

### Applicant Submission

CA0540400

ORI (Code assigned by DOJ)

Authorized Applicant Type

Type of License/Certification/Permit OR Working Title (Maximum of 30 characters – if assigned by DOJ, use exact title assigned)

### Contributing Agency Information:

TULARE POLICE  
DEPARTMENT

##

Agency Authorized to Receive Criminal Record Information

Mail Code (five-digit code assigned by DOJ)

260 M  
STREET

NAME

Street Address or P.O. Box  
submissions)

Contact Name (mandatory for all school

TULARE CA 93274

##

City

State

ZIP Code

Contact Telephone Number

### Applicant Information:

Last Name  
Initial

First Name  
Suffix

Middle

Other  
Name

(AKA or Alias) Last  
Initial

Suffix

First Name

Middle

Date of Birth

Sex ☐ Male ☐ Female

Driver's License Number

Height

Weight

Eye Color

Hair Color

Billing

Number 143059

(Agency Billing Number)

Place of Birth (State or Country)

Social Security Number

Misc.

Number

(Other Identification Number)

Home

Address

Street Address or P.O. Box  
State

City

ZIP Code



Your Number: \_\_\_\_\_  
OCA Number (Agency Identifying Number)

Level of Service: ☒ DOJ ☒ FBI

(If Level of Service indicates FBI, the fingerprints will be used to check the criminal history record information of the FBI)

If re-submission, list original ATI

number: \_\_\_\_\_

(Must provide proof of rejection)

Original ATI Number

Employer (Additional response for agencies specified by statute):

\_\_\_\_\_

Employer Name

\_\_\_\_\_

Mail Code (five-digit code assigned by DOJ)

\_\_\_\_\_

City

State

ZIP Code

Telephone Number (optional)

Live Scan Transaction Completed By:

\_\_\_\_\_

Name of Operator

\_\_\_\_\_

Date

\_\_\_\_\_

Transmitting Agency  
Collected/Billed

LSID

\_\_\_\_\_

ATI Number

Amount

ORIGINAL – Live Scan Operator

SECOND COPY – Applicant

THIRD COPY (if needed) – Requesting Agency



## REQUEST FOR LIVE SCAN SERVICE

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### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The California Justice Information Services (CJIS) Division in the Department of Justice (DOJ) collects the information requested on this form as authorized by Business and Professions Code sections 4600-4621, 7574-7574.16, 26050-26059, 11340-11346, and 22440-22449; Penal Code sections 11100-11112, and 11077.1; Health and Safety Code sections 1522, 1416.20-1416.50, 1569.10-1569.24, 1596.80-1596.879, 1725-1742, and 18050-18055; Family Code sections 8700-87200, 8800-8823, and 8900-8925; Financial Code sections 1300-1301, 22100-22112, 17200-17215, and 28122-28124; Education Code sections 44330-44355; Welfare and Institutions Code sections 9710-9719.5, 14043-14045, 4684-4689.8, and 16500-16523.1; and other various state statutes and regulations. The CJIS Division uses this information to process requests of authorized entities that want to obtain information as to the existence and content of a record of state or federal convictions to help determine suitability for employment, or volunteer work with children, elderly, or disabled; or for adoption or purposes of a license, certification, or permit. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The DOJ's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. Failure to provide all the necessary information will result in delays and/or the rejection of your request.

**Access to Your Information.** You may review the records maintained by the CJIS Division in the DOJ that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to process applications pertaining to Live Scan service to help determine the suitability of a person applying for a license, employment, or a volunteer position working with children, the elderly, or the disabled, we may need to share the information you give us with authorized applicant agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

**Contact Information.** For questions about this notice or access to your records, you may contact the Associate Governmental Program Analyst at the DOJ's Keeper of Records at (916) 210-3310, by email at [keeperofrecords@doj.ca.gov](mailto:keeperofrecords@doj.ca.gov), or by mail at:

Department of Justice  
Bureau of Criminal Information & Analysis  
Keeper of Records  
P.O. Box 903417  
Sacramento, CA 94203-4170

**COMMERCIAL CANNABIS BUSINESS APPLICATION  
INDEMNIFICATION AGREEMENT  
BY AND BETWEEN CITY OF TULARE AND**

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THIS INDEMNIFICATION AGREEMENT ("Agreement") is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the City of Tulare ("City") and \_\_\_\_\_ ("Applicant").

**RECITALS**

WHEREAS, the Applicant has a legal and/or equitable interest in the certain real property located at Assessor Parcel Number(s): \_\_\_\_\_ ("Property"); and

WHEREAS, the Applicant has submitted an application to the City for a cannabis business on the Property, pursuant to Chapter 5.96 of the City of Tulare Municipal Code, hereafter referred to as the "Project."

**TERMS**

NOW, THEREFORE, pursuant to Chapter 5.96 of the City of Tulare Municipal Code, and in consideration of the premises, covenants and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Nothing in this Agreement shall be construed to limit, direct, impede or influence the City's review and consideration of the Project.
2. Applicant shall defend, indemnify, save and hold harmless the City of Tulare, its elected and appointed officials, officers, employees, agents and volunteers from any and all claims, actions, proceedings or liability of any nature whatsoever (including, but not limited to: any approvals issued in connection with any of the above described application(s) by City; any action taken to provide related environmental clearance under the California Environmental Quality Act ("CEQA") by City's advisory agencies, boards or commissions, appeals boards, or commissions, Planning Commission, or City Council; and attorneys' fees and costs awards) arising out of, or in connection with the City's review or approval of the Project or arising out of or in connection with the acts or omissions of the Applicant, its agents, employees or contractors.

With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the Project, including any contention the Project or its approval is defective because a City ordinance, resolution, policy, standard or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the Applicant, its agents, employees or contractors, its obligation, hereunder shall apply regardless of whether the City prepared, supplied or approved plans, specifications or both.

3. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
4. The City will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the City defends the claim, action, or proceeding in good faith.
5. The City Council shall have the absolute right to approve any and all counsel employed to defend the City. To the extent the City uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse the City upon demand. Such resources include, but are not limited to, staff time, court costs, City Council's time at its regular rate for non-City agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action or proceedings.
6. For any breach of this obligation the City may rescind its approval of the Project.
7. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved in writing by the Applicant, which approval shall not be unreasonably withheld. The City must approve any settlement affecting the rights and obligations of the City.
8. The parties agree that this Agreement shall constitute a separate agreement from any Project approval, and that if the Project, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
9. This Agreement shall be construed and enforced in accordance with the laws of the State of California.
10. The Applicant shall pay all court ordered costs and attorney fees.
11. The defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

After review and consideration of the foregoing terms and conditions, Applicant, by its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

Dates: \_\_\_\_\_

Applicant(s):

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

## COMMERCIAL CANNABIS BUSINESS APPLICATION ACKNOWLEDGMENT FORM

- ☐ I/We have read, fully understand and agree to operate within the regulations identified in The City of Tulare's Ordinances and all other applicable state laws and regulations as it relates to commercial cannabis operations and further understand that my permit(s) may be revoked for not operating in compliance with said regulations.
- ☐ I/We understand that it is our responsibility as the applicant to obtain "will serve" letters from all utility companies that will be serving my development. I/we understand that we will bear the sole cost of any upgrades, transmission improvements needed to serve my development as required by the utility companies.
- ☐ I/We agree that all structures utilized for Commercial Cannabis Businesses will be planned and built in accordance with applicable Building Codes and to the satisfaction of the City.
- ☐ I/We understand that the information I provide with my application may be released as required by law, judicial order, or subpoena, and could be used in a criminal prosecution.
- ☐ I/We agree to defend, indemnify, and hold harmless the City from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of the City's review and/or approval of this license issuance. I/we agree to execute a formal agreement to this effect on a form provided by the City and available for my inspection.
- ☐ I/We understand that the application fee is non-refundable even if I cancel my application or it is denied during the process.
- ☐ I/We acknowledge that without a complete application package my application may be delayed.
- ☐ I/We recognize that the City reserves the right to request additional information if necessary to complete review or processing of the application and confirm or promote conformance to ordinance-specific requirements and standards.
- ☐ I/We authorize the City, its agents, and employees to seek verification of the information contained within the application including a background check of the applicant and all employees and independent contractors.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

## PROPERTY/BUILDING OWNER AFFIDAVIT

I, \_\_\_\_\_, authorize the Commercial Cannabis activity entitled \_\_\_\_\_ to use/purchase this property as a Commercial Cannabis facility, as those terms are defined in the City of Tulare Municipal Code, should this facility obtain the appropriate permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

Legal Property Owner: \_\_\_\_\_  
Printed Name

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Title: \_\_\_\_\_

Legal Building Owner: \_\_\_\_\_  
Printed Name

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Title: \_\_\_\_\_

### ATTACH:

Proof of possession of the premises and approval of use (deed, lease, lease agreement, agreement showing willingness to sell property if applicant obtains permit).

*A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF CALIFORNIA )SS  
COUNTY OF TULARE )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

## PROPERTY MANAGER AFFIDAVIT (if applicable)

I, \_\_\_\_\_, authorize the Commercial Cannabis activity entitled \_\_\_\_\_ to use this property as a Commercial Cannabis facility, as those terms are defined in the City of Tulare Municipal Code, should this facility obtain the appropriate permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property.

Property Manager:

\_\_\_\_\_  
Printed Name

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Title: \_\_\_\_\_

### ATTACH:

Proof of possession of the premises and approval of use (deed, lease, lease agreement, agreement showing willingness to sell property if applicant obtains permit).

*A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF CALIFORNIA     )SS  
COUNTY OF TULARE     )

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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public